

RESOLUTION NO. 19-2005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, DECLARING PROPERTY LOCATED AT 12125 SE 21st AVENUE TO BE SURPLUS, DIRECTING THE SALE OF THE PROPERTY, AND DETERMINING MINIMUM ACCEPTABLE TERMS

WHEREAS, the City acquired property (the "Property") located at 12125 SE 21st Avenue by foreclosing a judgment lien on the Property; and

WHEREAS, the Property consisted of Tax Lot 1400 containing approximately 9,149 square feet and Tax Lot 1401 containing approximately 5,000 square foot; and

WHEREAS, the City Council adopted Resolution No. 40-2004 on December 21, 2004 declaring both tax lots to be surplus property, directing that they be sold as separate parcels pursuant to the procedure set forth in Milwaukie Municipal Code Section 3.15.015, and establishing a minimum sale price for each; and

WHEREAS, the City did not receive an offer on Tax Lot 1401; and

WHEREAS, the City owns Tax Lot 1401 free and clear of all liens; and

WHEREAS, litigation over ownership of the Property, including Tax Lot 1401, has been decided in the City's favor; and

WHEREAS, the City Council held a public hearing on April 19, 2005 after publishing notice of the hearing in the *Oregonian* at least five days before the hearing and after delivery of notice to property owners within three hundred feet of the Property, including Tax Lot 1401; and

WHEREAS, there is a structure located on Tax Lot 1401; and

WHEREAS, the structure will remain and will be declared surplus with Tax Lot 1401.

NOW, THEREFORE, BE IT RESOLVED THAT:

SECTION 1: The Property located at 12125 SE 21st Avenue, consisting of Tax Lot 1401 and the structure located thereon, is declared surplus to the City's needs and an offer to sell the property is authorized.

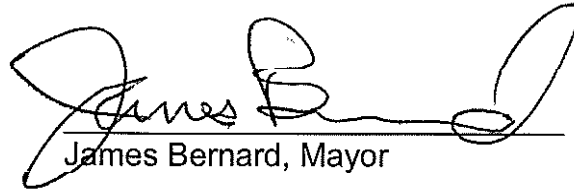
SECTION 2: City staff is directed to sell the property located at 12125 SE 21st Avenue consisting of Tax Lot 1401 consistent with Milwaukie Municipal Code Section 3.15.015. The minimum sale price shall be \$60,000.

SECTION 3. The sale shall be by the procedure set forth in Milwaukie Municipal Code Section 3.15.015(F).

SECTION 4: The resolution is effective upon adoption.

Introduced and adopted by the City Council of the City of Milwaukie, Oregon on April 19, 2005.

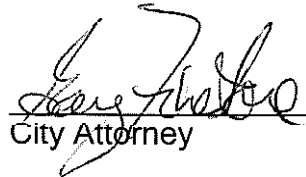
This resolution is effective on April 19, 2005.


James Bernard, Mayor

ATTEST:

APPROVED AS TO FORM:
Ramis, Crew, Corrigan & Bachrach LLP


Pat DuVal, City Recorder


City Attorney